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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,252	12/15/2003	Michael David Watkinson	33779/US	2283

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DORSEY & WHITNEY LLP
INTELLECTUAL PROPERTY DEPARTMENT
SUITE 1500
50 SOUTH SIXTH STREET
MINNEAPOLIS, MN 55402-1498

EXAMINER	
BETIT, JACOB F	

ART UNIT	PAPER NUMBER
2164	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/734,252	WATKINSON, MICHAEL DAVID	
	Examiner	Art Unit	
	Jacob F. Bétit	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 March 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,15,17,18,24-26 and 29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1,2,4,15,17,18,24-26 and 29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 26 March 2007 has been entered.

Remarks

2. In response to communications filed on 27 December 2006, claims 1, 15, 17, 18, 25, 26, and 29 have been amended per the applicant's request. Claims 1, 2, 4, 15, 17, 18, 24-26, and 29 are presently pending in the application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 17, 18, 25, 26, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyle et al. (U.S. patent application publication No. 2001/0041021 A1) in view of Schenker et al. (U.S. patent No. 6,633,223 B1).

As to claim 1, Boyle et al. teaches a method for synchronizing database records, said method comprising the steps of:

storing, on a central computer record and schedule data files and image files (see paragraphs 0023-0025);

storing, on at least one mobile computer, corresponding data and image files, wherein said data files are stored in a first database and said image files are stored in a second database (see paragraphs 0020, 0023-0025, and 0030);

creating new or modified files on one or both of the central computer and the mobile computer, wherein the new or modified files may be data files or image files (see paragraph 0029);

synchronizing data files stored on said central computer with data files stored in the first database of said mobile computer using a conduit program between said central computer and said first database (see paragraphs 0023 and 0038); and

synchronizing image files stored on said central computer to said second database of said mobile computer by exporting the image files (see paragraphs 0037-0039).

Boyle et al. does not distinctly disclose student record, demographic and class schedule data files.

Schenker et al. teaches this (see figure 4, reference number 78 and see column 14, line 20 through column 14, line 53). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Boyle et al. by the teachings of Schenker et al. because these teachings would allow a teacher to use the device with students to

make sure correct students show up for classes and tests (see Schenker et al., column 8, line 66 through column 9, line 6).

As to claim 17, Boyle et al. as modified, teaches wherein synchronizing the image files and synchronizing data files are performed wirelessly (see paragraph 0020).

As to claim 18, Boyle et al. as modified, teaches a computer readable medium, said computer readable medium comprising instructions to cause a computer to:

store, in a master database, student data files, and image files (see paragraph 0040);

create new or modified files on one or both of the master database and a mobile computer, wherein the new or modified files may be data files or image files (see paragraph 0029);

synchronize the data files stored on said master database with data files stored in a first database of the mobile computer (see paragraphs 0035 and 0038); and

synchronize the image files stored on said master database with image files stored in a second database of the mobile computer by exporting the image files (see paragraphs 0030-0032).

Boyle et al. does not distinctly disclose student data files.

Schenker et al. teaches this (see figure 4, reference number 78 and see column 14, line 20 through column 14, line 53). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Boyle et al. by the teachings of Schenker et al. because these teachings would allow a teacher to use the device with students to

make sure correct students show up for classes and tests (see Schenker et al., column 8, line 66 through column 9, line 6).

As to claim 25, Boyle et al. teaches wherein the first database is stored in a random access memory (see paragraph 0026, where it is implicit to one of ordinary skill in the art that PDA's most use RAM to store most common files).

As to claim 26, Boyle et al. as modified, teaches wherein the second database is stored in a digital storage device (see paragraph 0030).

As to claim 29, Boyle et al. teaches a method for synchronizing database records, said method comprising the steps of:

storing, on a central computer, record and class schedule data files and image files (see paragraphs 0023-0025);

storing, on at least one mobile computer, corresponding data and image files, wherein said data files are stored in a first database and said image files are stored in a second database memory (see paragraphs 0020, 0023-0025, and 0030);

creating new or modified files on the central computer, wherein the new or modified files may be data files or image files (see paragraph 0029);

synchronizing data files stored on said central computer with data files stored in the first database of said mobile using a conduit program between said central computer and said mobile memory (see paragraphs 0023 and 0038); and

synchronizing image files stored on said central computer to said second database of said mobile computer by exporting the image files (see paragraphs 0037-0039).

Boyle et al. does not distinctly disclose student record, demographic and class schedule data files. Schenker et al. teaches this (see figure 4, reference number 78 and see column 14, line 20 through column 14, line 53). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Boyle et al. by the teachings of Schenker et al. because these teachings would allow a teacher to use the device with students to make sure correct students show up for classes and tests (see Schenker et al., column 8, line 66 through column 9, line 6).

5. Claims 2, 4, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyle et al. (U.S. patent application publication No. 2001/0041021 A1) in view of Schenker et al. (U.S. patent No. 6,633,223 B1) as applied to claims 1, 17, 18, 25, 26, and 29 above, and in further view of Pivowar et al. (U.S. patent application publication No. 2002/0059375 A1).

As to claim 2, Boyle et al. as modified, does not distinctly disclose wherein said conduit program determines a user number associated with said mobile computer.

Pivowar et al. teaches this, see paragraphs 0047-0048. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Boyle et al. as modified above, to include the teachings of Pivowar et al. because these teachings would allow for multiple PDA's to synchronize data with other PDA's.

As to claim 4, Boyle et al. teaches wherein said conduit program synchronizes a plurality of users via a 32 bit integer where each user is represented by 2 bits (see Pivowar et al., paragraphs 0047-0048, where a 32 bit integer where each user is represented by 2 bits is a design choice made by a computer programmer which does not *on its own* change the function of the invention and is therefore nonfunctional descriptive material and should not be given patentable weight).

As to claim 24, Boyle et al. as modified, does not distinctly disclose wherein the storing of corresponding data and image files is done on a plurality of mobile computers. Pivowar et al. teaches this, see paragraphs 0047-0048. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Boyle et al. as modified above, to include the teachings of Pivowar et al. because these teachings would allow for multiple PDA's to synchronize data with other PDA's which increased the disruption of information to the users.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyle et al. (U.S. patent application publication No. 2001/0041021 A1) in view of Schenker et al. (U.S. patent No. 6,633,223 B1) as applied to claims 1, 17, 18, 25, 26, and 29 above, and in further view of Verts, William T., "An Essay on Endian Order", 1996-04-19, www.cs.umass.edu (herein referred to as Verts).

As to claim 15, Boyle et al. as modified, does not distinctly disclose wherein synchronizing image files further includes converting data in said image files from little endian format on said central computer to big endian format on said mobile computer.

Verts teaches this (see pages 1-2). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Boyle et al. as modified, to include the teachings of Verts because these teachings would allow a palm using a 68K processor to more easily display the image if it was in bmp format

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Bétit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

jfb
5 Jun 2007

SAM RIMELL
PRIMARY EXAMINER